

## Barring Crimes and Other Offenses under Section 48.685, Stats.

### Foster Care and Subsidized Guardianship

This table applies to applicants for a foster care license, foster parents, subsidized guardianship, and foster parents licensed for placement of children for adoption for whom adoption assistance will be provided.

Regulatory approval, employment as a caregiver, nonclient residency at, and contracting with an entity are barred as follows:

Wis. Stats.	Conviction	Bar
125.075 (1)	Injury or death by providing alcoholic beverages to a minor	Bar for 5 years after crime committed, then bar unless rehabilitation approval
125.085 (3) (a) 2.	Make, alter, duplicate ID for money or other compensation	Bar for 5 years after crime committed, then bar unless rehabilitation approval
125.105 (2) (b)	Impersonate or abet impersonation of an inspector, agent, or employee of Dept. of Revenue or Justice	Bar for 5 years after crime committed, then bar unless rehabilitation approval
125.66 (3)	Manufacture or rectify intoxicating liquor without a permit	Bar for 5 years after crime committed, then bar unless rehabilitation approval
125.68 (12)	Recover, use, conceal, or dispose of alcohol from denatured alcohol	Bar for 5 years after crime committed, then bar unless rehabilitation approval
346.63 (1), (2), (5) or (6)	Operating or causing injury by intoxicated use of a motor vehicle if a felony under s. 346.65 (2) (am) 5., 6., or 7., or (f); (2j) (d); or (3m), Stats.	Bar for 5 years after crime committed, then bar unless rehabilitation approval
940.01	1 <sup>st</sup> degree intentional homicide	Permanent bar
940.02	1 <sup>st</sup> degree reckless homicide	Permanent bar
940.03	Felony murder	Permanent bar
940.05	2 <sup>nd</sup> degree intentional homicide	Permanent bar
940.06	2 <sup>nd</sup> degree reckless homicide	Permanent bar
940.09	Homicide by intoxicated use of vehicle or firearm	Bar for 5 years after crime committed, then bar unless rehabilitation approval
940.12	Assisting suicide	Bar unless rehabilitation approval
940.19 (2), (4), (5), or (6)	Battery (felony)	Bar for 5 years after crime committed, then bar unless rehabilitation approval
940.19 (2), (4), (5), or (6)	Battery, if victim is spouse (felony)	Permanent bar
940.19 (3), 1999 Stats.	Battery (felony)	Bar for 5 years after crime committed, then bar unless rehabilitation approval
940.19 (3), 1999 Stats.	Battery, if victim is spouse (felony)	Permanent bar
940.20 (1) or (1m)	Battery by prisoners or battery by persons subject to certain injunctions, if victim is spouse	Permanent bar
940.20	Battery: special circumstances	Bar for 5 years after crime committed, then bar unless rehabilitation approval
940.203	Battery or threat to judge	Bar for 5 years after crime committed, then bar unless rehabilitation approval
940.205	Battery or threat to Dept. of Revenue employee	Bar for 5 years after crime committed, then bar unless rehabilitation approval
940.207	Battery or threat to Dept. of Safety and Professional Services or Workforce Development employee	Bar for 5 years after crime committed, then bar unless rehabilitation approval
940.21	Mayhem	Permanent bar
940.22 (2) or (3)	Sexual exploitation by therapist; duty to report	Bar unless rehabilitation approval
940.225 (1), (2), or (3)	1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> degree sexual assault	Permanent bar

<b>Wis. Stats.</b>	<b>Conviction</b>	<b>Bar</b>
940.23	Reckless injury	Permanent bar
940.25	Injury by intoxicated use of a vehicle	Bar for 5 years after crime committed, then bar unless rehabilitation approval
940.285 (2)	Abuse of vulnerable adults (misdemeanor or felony)	Bar unless rehabilitation approval
940.29	Abuse of residents of a penal facility	Bar unless rehabilitation approval
940.295	Abuse or neglect of patients and residents (misdemeanor or felony)	Bar unless rehabilitation approval
940.302 (2) if s. 940.302 (2) (a) 1.b. applies	Human trafficking for purposes of a commercial sex act	Bar unless rehabilitation approval
940.305	Taking hostages	Permanent bar
940.31	Kidnapping	Permanent bar
941.20 (2) or (3)	Endangering safety by use of dangerous weapon (felony)	Permanent bar
941.21	Disarming a peace officer	Permanent bar
942.09 (2)	Representations depicting nudity (felony)	Bar unless rehabilitation approval
943.10 (2)	Armed burglary or burglary with battery	Permanent bar
943.23 (1g)	Operating a motor vehicle without the owner's consent while possessing a dangerous weapon	Permanent bar
943.23 (1m) or (1r), 1999 Stats.		Permanent bar
943.32 (2)	Robbery with a dangerous weapon	Permanent bar
948.081	Patronizing a child (Felony)	Permanent bar
948.21 (2)	Neglecting a child (misdemeanor only, felony conviction is a permanent bar, includes convictions under 948.21(1)(a), Stats. prior to 4/18/2018)	Bar unless rehabilitation approval
948.215	Chronic neglect (Felony)	Permanent bar
948.53 (2) (b) 1.	Child unattended in child care vehicle (misdemeanor)	Bar unless rehabilitation approval
948.53 (2) (b) 2. to 4.	Child unattended in child care vehicle (felony)	Permanent bar
<b>Any other offense under ch. 948, Stats., that is a felony</b>	<b>Crimes Against Children</b>	Permanent bar
<b>Any offense under ch. 961, Stats., that is a felony</b>	<b>Uniform Controlled Substances Act</b> (includes convictions under previous numbering in ch. 161, Stats.)	Bar for 5 years after crime committed, then bar unless rehabilitation approval
	<b>Other Offenses</b>	
	Finding by a governmental agency of neglect or abuse of a client or of misappropriation of a client's property	Bar unless rehabilitation approval
	Finding by a governmental agency of child abuse or neglect	Bar unless rehabilitation approval

Note: Any comparable offense or conviction under federal law or another state's law has the same categorization as crimes and offenses included on this list.

Note: This appendix is based on s. 48.685 (1) (c), (5) (a), and (5) (bm), Stats., and 42 USC 671(20).